

Hearing Date: November 18, 2008, 10:00 a.m.
Objection Deadline: November 14, 2008, 4:00 p.m.

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*Counsel for New York State Comptroller
Thomas P. DiNapoli, as Administrative
Head of the New York State and Local
Retirement Systems and Sole Trustee of
the New York State Common Retirement Fund*

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:	:	x
	:	Chapter 11
	:	
LEHMAN BROTHERS HOLDINGS INC.,	:	Case No. 08-13555 (JMP)
	:	
Debtor.	:	(Jointly Administered)
	:	

x

**NOTICE OF HEARING ON MOTION OF NEW YORK STATE
COMPTROLLER FOR APPOINTMENT OF A TRUSTEE OR,
IN THE ALTERNATIVE, AN EXAMINER
WITH EXPANDED POWERS**

PLEASE TAKE NOTICE that New York State Comptroller Thomas P. DiNapoli, as Administrative Head of the New York State and Local Retirement Systems and sole Trustee of the New York State Common Retirement Fund, by and through undersigned counsel, has filed a motion pursuant to 11 U.S.C. § 1104(a) for appointment of a trustee to oversee the estates of Lehman Brothers Holdings, Inc. and its affiliated debtors-in-

possession other than Lehman Brothers Inc. (the “Debtors”), or, in the alternative, for appointment of an examiner under 11 U.S.C. § 1104(c) with expanded powers to investigate the Debtors and their former and current management (the “Motion”).

PLEASE TAKE FURTHER NOTICE that a hearing to consider the relief requested in the Motion has been scheduled for November 18, 2008, at 10:00 a.m. (prevailing Eastern Time), before the Honorable James M. Peck, United States Bankruptcy Court for the Southern District of New York, Alexander Hamilton Customs House, One Bowling Green, Courtroom 601, New York, New York 10004.

PLEASE TAKE FURTHER NOTICE that objections, if any, to the Motion must be (i) filed electronically with the Court on the docket of *In re Lehman brothers Holdings Inc.*, Chapter 11 Case No. 08-13555 (JMP) in accordance with General Order M-242 (available at www.nysb.uscourts.gov/orders/orders2.html) by registered users of the Court’s case filing system and by all other parties in interest on a 3.5 inch disk, preferably in Portable Document Format (PDF), Microsoft Word, or any other Windows-based word processing format, and (ii) be served upon (a) chambers of the Honorable James M. Peck, One Bowling Green, Courtroom 601, New York, New York 10004; (b) Entwistle & Cappucci LLP, 280 Park Avenue, 26th Floor West, New York, New York 10017 (Attention: Andrew J. Entwistle and Johnston de F. Whitman, Jr.), attorneys for the New York State Comptroller; (c) Weil Gotshal & Manges LLP, 767 Fifth Avenue, New York, New York 10153, (Attention: Harvey Miller, Richard P. Krasnow, Lori R. Fife, Shai Y. Waisman and Jacqueline Marcus), attorneys for the above-captioned debtors-in-possession; (d) the Office of the United States Trustee for the Southern District of New York, 33 Whitehall Street, 21st Floor, New York, New York 10004 (Attention: Andy

Velez-Rivera, Paul Schwartzberg, Brian Masumoto, Linda Riffkin, and Tracy Hope Davis); (e) Milbank, Tweed, Hadley, & McCloy LLP, One Chase Manhattan Plaza, New York, New York 10005 (Attention: Dennis F. Dunne and Dennis O'Donnell), attorneys for the official committee of unsecured creditors; and (f) Cleary Gottlieb LLP, One Liberty Plaza, New York, New York 10006 (Attention: Lindsee P. Granfield and Lisa Schweiger) and Sullivan & Cromwell LLP, 125 Broad Street, New York, New York 10004 (Attention: Robinson B. Lacy and Hydee R. Feldstein), attorneys for the Debtors' post-petition lenders, so as to be received by November 14, 2008, by 4:00 p.m., prevailing Eastern Time.

Dated: New York, New York
November 4, 2008

ENTWISTLE & CAPPUCCI LLP

By: /s/ Andrew J. Entwistle
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